

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**JAVIER AMBLER, SR. and
MARITZA AMBLER, individually,
on behalf of all wrongful death
beneficiaries of JAVIER AMBLER,
II, on behalf of the estate of JAVIER
AMBLER, II, and as next friends of
J.R.A. a minor child; and
MICHELLE BEITIA, as next friend
of J.A.A. a minor child,
*Plaintiffs***

V.

**MICHAEL NISSEN and
CITY OF AUSTIN,
*Defendants***

Case No. 1:20-cv-1068-LY

ORDER

Now before the Court are Plaintiffs’ Unopposed Motion to Seal Exhibits in Support of Plaintiffs’ Response to Defendant Nissen’s Motion for Summary Judgment (Dkt. 185) and Plaintiffs’ Unopposed Motion to Seal Exhibits in Support of Plaintiffs’ Response to Defendant City of Austin’s Motion for Summary Judgment (Dkt. 188), both filed under seal on May 5, 2023.¹

Plaintiffs request permission to file exhibits in support of their responses to Defendants’ motions for summary judgment under seal. Plaintiffs state that although Defendants designated these documents “Confidential” under the Court’s Confidentiality and Protective Order (Dkt. 39), they disagree with that designation.

¹ The District Court referred all pending and future nondispositive and dispositive motions in this case to this Magistrate Judge for resolution or Report and Recommendation, respectively, pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72, and Rule 1 of Appendix C to the Local Rules of the United States District Court for the Western District of Texas. Dkt. 144.

“Judicial records belong to the American people; they are public, not private documents.” *Binh Hoa Le v. Exeter Fin. Corp.*, 990 F.3d 410, 417 (5th Cir. 2021). Accordingly, the Court hereby **ORDERS** Defendants to file a response to Plaintiffs’ Motions explaining why the documents Plaintiffs seek to file under seal, excluding Javier Ambler II’s medical records, are properly designated “Confidential” and should be filed under seal. Defendants’ response brief shall be filed **on or before June 5, 2023**. Plaintiffs shall have until **June 9, 2023**, to file a reply brief, if any.

SIGNED on May 25, 2023.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE